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Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Second performance report of the International Criminal Tribunal for the Former Yugoslavia for the biennium 2002-2003

Report of the Secretary-General*

Summary

The second performance report of the International Criminal Tribunal for the Former Yugoslavia for the biennium 2002-2003 is submitted pursuant to resolution 57/288 of 20 December 2002. The report reflects a net additional requirement of $18.8 million over the revised appropriation for the biennium 2002-2003. The increased requirements include, inter alia, changes with respect to exchange rates ($20,399,300) owing to the weakening of the United States dollar vis-à-vis the euro and inflation ($3,755,900).

The General Assembly is requested to revise the appropriation for the biennium 2002-2003 to $288,322,200 gross ($254,603,800 net) to the Special Account for the International Criminal Tribunal for the Former Yugoslavia.

* The delayed submission of the present report was due to the extensive consultation required for its finalization.

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I. Introduction

1. The General Assembly, by its resolution 57/288 of 20 December 2002, approved a revised appropriation for the biennium 2002-2003 in the amount of $262,653,700 gross ($235,955,000 net).

2. The activities of the International Criminal Tribunal for the Former Yugoslavia are predominantly trial-based and hence most of the requirements are linked to the pace of trial activities. However, owing to a slower than anticipated pace of trial activities in the biennium 2002-2003, various objects of expenditure reflect a lower than anticipated level of requirements.

II. Explanation of the changes in net expenditure requirements

3. A net increase in requirements of $18,803,200 is shown in tables 1 and 2 below. Table 1 reflects the changes by organ. Table 2 reflects the changes by object of expenditure.

Table 1
Summary of estimated final requirements by component and main determining factors
(thousands of United States dollars)

		Projected changes				
Component	*Revised 2002-2003 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2002-2003 final appropriation*
The Chambers	8 776.2	182.7	59.1	(35.8)	206.0	8 982.2
Office of the Prosecutor	81 890.7	5 707.4	1 362.4	7 414.5	14 484.3	96 375.0
Registry	171 986.8	15 394.5	2 363.1	(6 779.4)	10 978.2	182 965.0
Total (gross)	**262 653.7**	**21 284.6**	**3 784.6**	**599.3**	**25 668.5**	**288 322.2**
Income						
Staff assessment	26 698.7	885.3	28.7	5 905.7	6 819.7	33 518.4
Other income	154.4	-	-	45.6	45.6	200.0
Total (net)	**235 800.6**	**20 399.3**	**3 755.9**	**(5 352.0)**	**18 803.2**	**254 603.8**

Table 2

Summary of projected expenditures by object of expenditure and main determining factors

(thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2002-2003 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2002-2003 final appropriation*
Expenditure						
Posts	115 782.9	10 668.8	1 018.3	8 891.7	20 578.8	136 361.7
Other staff costs	24 920.7	2 370.3	592.7	(4 410.3)	(1 447.3)	23 473.4
Salaries and allowances of judges	8 627.9	179.8	55.2	(31.9)	203.1	8 831.0
Consultants and experts	525.9	50.0	12.5	377.9	440.4	966.3
Travel	11 065.9	0.0	300.7	(2 836.2)	(2 535.5)	8 530.4
Contractual services	44 870.8	4 263.9	1 067.1	(4 958.1)	372.9	45 243.7
General operating expenses	19 476.4	1 852.3	463.2	(2 805.9)	(490.4)	18 986.0
Hospitality	10.2	1.0	0.3	(1.3)	0.0	10.2
Supplies and materials	2 921.0	277.0	69.8	(920.0)	(573.2)	2 347.8
Furniture and equipment	7 283.5	692.2	173.1	954.1	1 819.4	9 102.9
Improvement of premises	270.5	25.8	6.5	397.1	429.4	699.9
Grants and contributions	199.3	18.2	(3.5)	36.5	51.2	250.5
Staff assessment	26 698.7	885.3	28.7	5 905.7	6 819.7	33 518.4
Total (gross)	**262 653.7**	**21 284.6**	**3 784.6**	**599.3**	**25 668.5**	**288 322.2**
Income						
Staff assessment	26 698.7	885.3	28.7	5 905.7	6 819.7	33 518.4
Other income	154.4	-	-	45.6	45.6	200.0
Total (net)	**235 800.6**	**20 399.3**	**3 755.9**	**(5 352.0)**	**18 803.2**	**254 603.8**

A. Variations in budgetary assumptions

Rates of exchange and inflation (Increase: $25,069,200)

4. A net increase in the amount of $25,069,200 would be required to absorb the impact of changes in the exchange rates ($21,284,600) attributable mainly to the weakening of the dollar vis-à-vis the euro and inflation ($3,784,600). In the present report, in estimating the effect of exchange rate changes experienced in 2003, the realized exchange rates from January to October 2003, with the October rate applied

to November and December, have been used. With regard to inflation, the adjustments are based on the latest information available on consumer price indices as well as adjustments resulting from differences in actual post adjustment indices for staff in the Professional category and above, and actual cost-of-living adjustments of salary scales for staff in the General Service and related categories compared with the assumptions made in the revised appropriations. The higher increase for inflation in the office of the Prosecutor reflects the higher ratio of Professional to General Service posts in that organ as compared with the Registry. Details of the budgetary assumptions used in arriving at the foregoing figures are outlined in annex I to the present report.

B. Other requirements

Chambers

Table 3
Projected expenditures by object of expenditure and main determining factors
(Thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2002-2003 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2002-2003 final appropriation*
Salaries and allowances of judges	8 627.9	179.8	55.2	(31.9)	203.1	8 831.0
Consultants and experts	30.5	2.9	0.8	(5.2)	(1.5)	29.0
Travel of representatives	117.8	-	3.1	1.3	4.4	122.2
Total	**8 776.2**	**182.7**	**59.1**	**(35.8)**	**206.0**	**8 982.2**

Salaries and allowances of judges (Decrease: $31,900)

5. The reduced requirements relate to the lower cost of salaries for judges, resulting mainly from the late arrival of the ad litem judges in 2002 and lower requirements for common costs of judges.

Consultants and experts (Decrease: $5,200)

6. The decrease is attributable to lower than anticipated payments for travel and daily subsistence allowance in respect of three amici curiae.

Office of the Prosecutor

Table 4
Projected expenditures by object of expenditure and main determining factors
(Thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2002-2003 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2002-2003 final appropriation*
Expenditure						
Posts	51 476.9	4 383.4	829.2	6 708.2	11 920.8	63 397.7
Other staff costs	11 558.8	1 098.5	274.8	(732.3)	641.0	12 199.8
Consultants and experts	306.7	29.1	7.2	109.7	146.0	452.7
Travel	6 305.1	-	171.3	(2 127.1)	(1 955.8)	4 349.3
Contractual services	114.3	10.9	2.6	(12.9)	0.6	114.9
Staff assessment	12 128.9	185.5	77.3	3 468.9	3 731.7	15 860.6
Total (gross)	**81 890.7**	**5 707.4**	**1 362.4**	**7 414.5**	**14 484.3**	**96 375.0**
Income						
Staff assessment	12 128.9	185.5	77.3	3 468.9	3 731.7	15 860.6
Total (net)	**69 761.8**	**5 521.9**	**1 285.1**	**3 945.6**	**10 752.6**	**80 514.4**

Posts (Increase: $6,708,200)

7. The increase relates to additional requirements for salary costs ($1,803,100) and common staff costs ($4,905,100) that are attributable to vacancy rates and salary standards. The average vacancy rate for 2002 was 6.3 per cent (8.9 per cent for the Professional category and 3.6 per cent for the General Service category) and is 6.4 per cent for 2003 based on data up to October 2003 (8.3 per cent for the Professional category and 4.5 per cent for the General Service category). A total of 33 new posts (23 in the Professional category and 10 in the General Service and related categories) were established for the biennium 2002-2003. These posts were budgeted using a vacancy rate of 50 per cent for new Professional posts and 40 per cent for new General Service posts. However, the posts were filled by July 2002, thereby having an impact on the requirements for salary costs and common staff costs. With regard to salary standards, the realized common staff costs rate has been much higher than the budgeted rate. The overall increase in post requirements is also reflected in increased requirements under staff assessment offset by an equal amount recorded under income from staff assessment.

Other staff costs (Decrease: $732,300)

8. The projected savings under mission subsistence allowance ($1,106,600) are attributable to the lower than anticipated number of personnel stationed in the field. This has been partially offset by increased requirements under overtime ($374,300) for work undertaken by trial support staff. During the biennium 2002-2003,

leadership trials have required an unprecedented number of documents to be disclosed (e.g. in 2002 a total of 210,000 pages were disclosed for the Milosevic trial). These requirements and corresponding court deadlines have been met through the use of overtime resources.

Consultants and experts (Increase: $109,700)

9. The increase in requirements is attributable to the rise in the number of experts needed to support an ever-increasing number of complex leadership cases. Leadership trials require more expert testimony than simple crime-based trials in order to link a person in authority with crimes on the ground when the person was not directly involved in committing the crimes. To prove these links, political, military and even social structures come into play as well as concepts such as propaganda, disciplines such as statistical analysis of demographic movements and forensic science.

Travel (Decrease: $2,127,100)

10. The decrease in requirements is largely the result of the reassignment of investigators to trial work, therefore making them unable to carry out projected investigation missions. In addition, the actual duration (10 days budgeted vs. 7 days, on average, actual) and cost of each mission ($2,300 budgeted vs. $2,025, on average, actual) proved to be lower than the assumptions made in formulating the budget for the biennium 2002-2003. In addition, there has been greater reliance on the field offices to provide personnel and support.

Contractual services (Decrease: $12,900)

11. The reduction is attributable mainly to lower actual requirements for training.

Registry

Table 5
Projected expenditures by object of expenditure and main determining factors
(Thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2002-2003 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2002-2003 final appropriation*
Expenditure						
Posts	64 306.0	6 285.4	189.1	2 183.5	8 658.0	72 964.0
Other staff costs	13 361.9	1 271.8	317.9	(3 678.0)	(2 088.3)	11 273.6
Consultants and experts	188.7	18.0	4 5	273.4	295.9	484.6
Travel	4 643.0	-	126.3	(710.4)	(584.1)	4 058.9
Contractual services	44 756.5	4 253.0	1 064.5	(4 945.2)	372.3	45 128.8
General operating expenses	19 476.4	1 852.3	463.2	(2 805.9)	(490.4)	18 986.0

Object of expenditure	Revised 2002-2003 appropriation	Projected changes: Rate of exchange	Projected changes: Inflation	Projected changes: Post incumbency and other changes	Projected changes: Total	Proposed 2002-2003 final appropriation
Hospitality	10.2	1.0	0.3	(1.3)	-	10.2
Supplies and materials	2 921.0	277.0	69.8	(920.0)	(573.2)	2 347.8
Furniture and equipment	7 283.5	692.2	173.1	954.1	1 819.4	9 102.9
Improvement of premises	270.5	25.8	6.5	397.1	429.4	699.9
Grants and contributions	199.3	18.2	(3.5)	36.5	51.2	250.5
Staff assessment	14 569.8	699.8	(48.6)	2 436.8	3 088.0	17 657.8
Total (gross)	**171 986.8**	**15 394.5**	**2 363.1**	**(6 779.4)**	**10 978.2**	**182 965.0**
Income						
Staff assessment	14 569.8	699.8	(48.6)	2 436.8	3 088.0	17 657.8
Other income	154.4			45.6	45.6	200.0
Total (net)	**157 262.6**	**14 694.7**	**2 411.7**	**(9 261.8)**	**7 844.6**	**165 107.2**

Posts (Increase: $2,183,500)

12. The increase relates to additional requirements for salary costs ($1,250,200) and common staff costs ($933,300) that are attributable to vacancy rates and salary standards. The average vacancy rate for 2002 was 6 per cent (6.1 per cent for the professional category and 6 per cent for the General Service category) and is 6.9 per cent for 2003 based on data up to October 2003 (7.1 per cent for the Professional category and 6.8 per cent for the General Service category). A total of 57 new posts (22 in the Professional category and 35 in the General Service and related categories) were established for the biennium 2002-2003. These new posts were budgeted using a vacancy rate of 50 per cent for Professional posts and 40 per cent for General Service posts. However, the posts were filled in the second half of 2002, therefore having an impact on the requirements for salary costs and common staff costs. With regard to salary standards, the realized common staff costs rate has been much higher than the budgeted rate. The overall increase in post requirements is also reflected in increased requirements under staff assessment offset by an equal amount recorded under income from staff assessment.

Other staff costs (Decrease: $3,678,000)

13. The net reduction is attributable to reduced requirements under mission subsistence allowance ($927,300), temporary assistance for meetings ($3,399,900) and overtime ($364,700), partly offset by additional requirements under general temporary assistance ($1,013,900).

14. The reduced requirements under mission subsistence allowance are attributable to the lower than anticipated number of personnel stationed in the field. With respect to temporary assistance for meetings, this grouping includes temporary assistance

for conference interpretation, field interpretation, translation and French court reporting services. The projected reduction under this heading is attributable to the lower than anticipated trial activity for the biennium 2002-2003. In addition, savings are projected under French reporting services.

15. Provisions were made in the biennium 2002-2003 for French reporting services under temporary assistance for meetings (TAM). Up to May 2003, French court reporting services were performed by individual freelance court reporters under short-term appointments charged to TAM. This arrangement, while generally effective, has over the years proven to be costly and has placed a significant administrative burden on the Tribunal to administer the numerous travel and contracts of the court reporters. In order to deal more efficiently and provide a more cost-effective solution, in late 2002 a bidding exercise was launched for the service to be performed by commercial services, as is the case for English verbatim services. Arrangements were put in place in this regard in May 2003 and expenditures are accordingly charged against contractual verbatim reporting rather than TAM.

16. With regard to field interpretation, reduced requirements under TAM are also projected in the light of the decision taken by the Tribunal in April 2002 to recruit a team of local interpreters at its field offices against general temporary assistance (GTA) resources. These locally recruited interpreters handle part of the requirements for field interpretation, thus allowing the Tribunal to reduce the use of short-term interpreters for field missions charged against TAM.

17. Savings under overtime are the result of continuous and rigorous monitoring of overtime requirements over the biennium.

18. The increased requirement under GTA is attributable to three factors: (a) liabilities arising from an appeal lodged by staff which resulted in retroactive payments for staff charged against GTA funds; (b) additional requirements in relation to the Judicial Database project, which was not foreseen at the time of the preparation of the budget for the biennium 2002-2003, and (c) requirements for the team of field interpreters referred to in paragraph 16.

Consultants and experts (Increase: $273,400)

19. The additional requirements under this heading are largely attributable to the higher than budgeted number of expert witnesses travelling to The Hague. The provisions under ad hoc experts were intended to cover the costs related to an estimated 30 expert witnesses called to testify before the Court. However, in connection with the number of complex leadership cases requiring additional expert support, 66 experts have already travelled to The Hague as of August 2003 and a total of 70 experts are projected for the full biennium.

Travel (Decrease: $710,400)

20. As a result of the lower than anticipated trial activity during the biennium 2002-2003, the number of witnesses and accompanying dependents expected to travel during the biennium is approximately 1,300 as compared to 1,800 used in

arriving at the 2002-2003 budget estimates. Hence, the lower requirements under travel of victims and witnesses ($878,400). This is partially offset by increased requirements under travel of staff ($147,400) of the Registry for judicial travel and to support field operations.

Contractual services (Decrease: $4,945,200)

21. The reduction is composed of decreased requirements for the following: defence counsel ($4,651,000), owing to a reduced number of detainees and the application of the revised payment system for trials adopted as of July 2002; verbatim reporting ($671,100), attributable to lower requirements for French and English language verbatim reporting owing to lower than anticipated trial activity; contractual translation ($280,800), as a result of lower documentation; training ($139,600); data-processing services ($49,700); and other contractual services ($35,700). The reduction is partly offset by increases in detention services ($751,200), as a consequence of the greater increase in the unit costs per cell in the Scheveningen penitentiary complex than had originally been estimated, and photo-visual materials ($131,500) in relation to the preparation of maps and photos for complex high-level cases, such as the Milosevic trial.

General operating expenses (Decrease: $2,805,900)

22. The overall savings are comprised of reductions under rental of premises ($1,271,100), rental of office equipment ($380,700), rental of vehicle ($270,800), communications ($531,400), maintenance of various equipment ($309,400) and other miscellaneous services ($356,400), partly offset by an increase under utilities ($313,900).

23. With respect to rental of premises, the projected reduction in requirements relates to savings on the rental charges for both the Main and Third buildings during 2002. A rental credit of approximately $341,700 was received for the Main building (as per the provisions of the original lease agreement) and the Third building rental costs have been less than budgeted owing to a late occupancy rate. In addition, requirements under supplies to maintain premises and cleaning of premises were reduced.

24. The increase in requirements under utilities reflects the higher usage of heating, ventilation and cooling systems, as well as electricity requirements than had been estimated.

25. Savings under rental of office equipment reflect the need for fewer photocopiers than originally anticipated. As concerns rental of vehicles, the decrease is mainly due to the use of temporary assistance drivers for transportation services between all three buildings with a vehicle redeployed from the field office, in lieu of contracting a commercial bus line to provide such services, as originally envisaged in the 2002-2003 budget.

26. As concerns communications, improvements in satellite communications and reduced rate structures resulted in substantial savings.

27. Under maintenance of equipment, savings were realized owing to fewer repairs being required on various office equipment and lower maintenance costs of vehicles as a result of the fleet being relatively new. With respect to other miscellaneous

services, the savings relate to lower claims and medical services from detainees and witnesses.

Supplies and materials (Decrease: $920,000)

28. Reduced requirements for supplies and materials reflect, inter alia, the increased use of disclosure of evidence in electronic form and lower than forecast requirements for forensic supplies and supplies for two-way radio and Inmarsat communications components in the field offices.

Furniture and equipment (Increase: $954,100)

29. The increase in requirements is related to data-processing equipment and software ($833,200), audio-visual equipment ($219,500), security and safety equipment ($144,700) and communications equipment ($170,600), partly offset by decreased requirements for furniture and fixtures ($371,300) and vehicles ($42,600).

30. The higher requirements for data-processing equipment and software is attributable to the implementation of critical applications in both the Office of the Prosecutor and the Registry intended to rationalize and expedite proceedings (e.g. automating the presentation of documentary and video evidence in court, facilitating the electronic disclosure of material to the defence and utilizing computerized research tools for the finding of jurisprudence (Judicial Database project). The introduction of these automated systems brought about higher than forecast costs for the Storage Area Network capacity, servers and related ancillary equipment as well as software applications.

31. With respect to audio-visual equipment, the additional requirement is related to the replacement of many of the key courtroom components that have reached the end of their useful life as well as the costs of re-engineering the courtrooms to maximize the efficiency of the proceedings and to support the introduction of the new automated applications. Furthermore, additional communication equipment was needed to upgrade and replace ageing telephone and fax equipment and to cover additional requirements in support of the increased use of video teleconferencing at the Tribunal.

32. In compliance with the Office of the United Nations Security Coordinator minimum operating security standards for all organizations of the United Nations common system, additional security and safety equipment was purchased.

33. The decreased requirements under furniture and fixtures and vehicles are due to a longer than estimated life cycle of furniture and to the redeployment of vehicles from the field to The Hague in lieu of purchasing new vehicles.

Improvement of premises (Increase: $397,100)

34. The increase relates to additional work having been required in the Third (new) building, including electrical, construction and plumbing work. Additional projects were also undertaken in the Main building, including the installation of a closed-circuit television system required for security purposes and construction work on the cafeteria following a kitchen fire in 2002.

Grants and contributions (Increase: $36,500)

35. Rent and other services for the Sarajevo field office was originally budgeted under rental of premises. Following the closure of the United Nations Mission in Bosnia and Herzegovina, a new joint housing arrangement was introduced under the category with a commensurate reduction in resources under the rental of premises.

III. Action to be taken by the General Assembly

36. The General Assembly is requested to take note of the present report and revise the appropriation for the biennium 2002-2003 in the amount of $288,322,200 gross ($254,603,800 net) to the Special Account for the International Criminal Tribunal for the Former Yugoslavia.

Annex I

Budgetary assumptions

The following parameters were used in formulating the present proposed estimates for the final appropriation:

	Estimates used for the revised appropriation		*Proposed estimates for the final appropriation*	
Budget parameters	*2002*	*2003*	*2002*	*2003*
Rate of exchange (US$ 1: €)	1.076	1.076	1.073	.901
Rate of inflation (percentage)	3.4	2.3	5.3	2.0
Post adjustment multiplier at The Hague (percentage)	9.9	11.6	10.07	32.7

Annex II

Trial activity during the biennium 2002-2003

1. The proposed programme budget for the biennium 2002-2003 was based on the assumption that the Tribunal would increase its trial capacity by 20 per cent from five to six active trial chambers following the appointment of the three remaining ad litem judges in 2002. On this basis, using the three courtrooms available, it was estimated that the number of court sessions would increase by 20 per cent over 2001 estimates, resulting in 2,328 court sessions per year (4,656 for the biennium).

2. Based on statistics, the Tribunal estimates that the number of court sessions in the biennium 2002-2003 will be 3,402. While this estimate represents an increase of some 15 per cent over the 2,982 sessions realized in the biennium 2000-2001, the Tribunal was not able to meet its ambitious target of 4,656 court sessions for the biennium 2002-2003 (representing 100 per cent of available court time) owing to the statutory time frames of the rules of procedure and evidence as well as reasons beyond its control.

3. With the addition of the three remaining ad litem judges, the Tribunal was in a position to conduct six concurrent trials. However, two of the three additional ad litem judges only joined the Tribunal as of April 2002 and therefore for the first three months of the year, the Tribunal was only able to conduct a maximum of five trials. As a result, the number of sessions estimated at the time of preparation of the 2002-2003 budget included three months of trial activity that did not take place.

4. For the period from January to March 2002, owing to the submission of new evidence at the last stage of the Vasiljevic trial that required additional time for review by the parties, there were delays in closing the proceedings and hearings could not be held on a daily basis.

5. The Milosevic case had to be adjourned for six weeks in total owing to the illness of the accused during the period from January 2002 to August 2003. Following the completion of the prosecution's case in relation to Kosovo, the Trial Chamber adjourned for two weeks to allow the prosecution and the defence to organize their presentation in connection with the Croatian and Bosnian components of the indictment.

6. The Galic case was adjourned for three weeks in October-November 2002 to allow the defence time to prepare its case following the completion of the prosecution's case. The Galic trial case had three days of closing arguments and finished on 9 May 2003. Since that date the Trial Chamber has been engaged in writing the judgement. This Trial Chamber was scheduled to start the Krajisnik case in mid-May 2003. The Stakic case was adjourned for one month in August 2002 under similar circumstances.

7. Because of the illness of the lead counsel in the Brdanin case and problems in the appointment of a new co-counsel, there was a two-month delay in the court proceedings.

8. During the months of January through April 2003, the Trial Chamber was engaged in preparing the judgement in the case of Martinovic/Naletilic. This Trial Chamber started the Blagojevic case (new case) in May 2003.

9. The Stakic defence case finished in March 2003. Closing arguments in that case were held for two days in April 2003. From April 2003 to 30 July 2003, the Trial Chamber was engaged with writing the judgement. This Trial Chamber was scheduled to commence the Mrda case in mid-July 2003. However, the accused entered a guilty plea on 24 July 2003. The Simic trial had three weeks' delay in total during the period from January 2003 to 4 July 2003 because of problems in the organization of witnesses by the defence, illness of one of the accused and illness of one of the judges of the Trial Chamber. For the period from 6 March to 15 April 2002 the Simic case had to be adjourned owing to the illness of an ad litem judge. This judge could not resume work for health reasons and had to be replaced on 15 April by a new ad litem judge so that the trial could proceed. The Simic trial case finished on 4 July 2003 and the Trial Chamber is engaged in writing the judgement.

10. The Krajisnik case was scheduled to start on 6 May 2003. Owing to the suspension of the lead counsel of the accused, from the New York bar association, prior to the commencement of the trial, the case was cancelled, as the lead counsel could not be retained for the accused. Further delays in the case were caused by problems with assigning a new lead counsel to the accused. The trial is presently scheduled to start in February 2004.

11. In the Blagojevic et al. (4 accused) case, 1 of the 4 accused pleaded guilty on 7 May 2003. The case proceeded on 14 May 2003. However, on 21 May 2003 another accused pleaded guilty. Owing to the guilty pleas of 2 of the 4 accused, the trial proceedings in the case of the remaining 2 accused (i.e. Blagojevic and Jokic) was delayed until 7 July, as the accused Blagojevic contested the appointment of his lead counsel. The trial proceedings were again stayed on 24 July 2003 to await the decision of the appeals chamber in an appeal initiated by the accused Blagojevic in relation to his lead counsel. The case resumed on 19 September 2003.

12. In 2003, 6 accused pleaded guilty. While this is a positive trend for the Tribunal, certain short-term delays were experienced in the processing of these pleas and the rescheduling of pending cases.

13. Finally, the preparation of judgements in connection with cases scheduled for completion during the biennium required considerable work outside the courtrooms.

Annex III

Voluntary contributions and trust fund activities

1. The General Assembly, in its resolutions 49/242 B of 20 July 1995 and 53/212 of 18 December 1998, invited Member States and other interested parties to make voluntary contributions to the International Criminal Tribunal for the Former Yugoslavia both in cash and in the form of services and supplies acceptable to the Secretary-General. As at 31 August 2003, cash donations of approximately $40.2 million, pledges of a further $648,500 and in-kind contributions valued at approximately $7,000 had been received by the Voluntary Fund to support the activities of the International Criminal Tribunal. For the period from 1 January 2002 to 31 August 2003, the Tribunal received approximately $6.2 million in voluntary cash contributions.

2. Voluntary contributions have been utilized to support the Tribunal's prosecution and investigation activities, such as operations in Kosovo; to review cases through the Rules of the Road project; to assist victims and witnesses; the Outreach Programme; and to procure equipment, books and periodicals for the library. The status of voluntary cash contributions to support the activities of the Tribunal, as at 31 October 2003, is reflected in the following table:

Cash contributions to the Voluntary Fund, by contributor, as at 31 October 2003

(Thousands of United States dollars)

Contributions from inception to 31 December 2001	33 993.8
Contributions from 1 January 2002 to 31 October 2003	
United States of America	3 655.0
European Commission	1 638.8
Germany	319.7
Canada	256.9
Norway	199.4
United Kingdom	179.0
Switzerland	178.5
Netherlands	150.0
Luxembourg	44.2
Italy	30.2
Organization for Security and Cooperation in Europe	24.9
Poland	12.0
Hungary	10.0
Greece	10.0
Refund	(464.1)
Subtotal	**6 244.5**
Total	**40 238.3**

Cash pledges to the Voluntary Fund, by contributor, as at 31 October 2003

(Thousands of United States dollars)

European Commission	Balance (1999 grant)	159.6
European Commission	Balance (2000 grant)	36.5
European Commission	Balance (2001 grant)	264.0
European Commission	Balance (2002 grant)	137.8
Bosnia/Herzegovina	Rules of the Road project	45.5
Canada	Balance (Macedonia Investigations)	3.6
German Bar Association	Library	1.5
Total		**648.5**

3. In-kind contributions received for the biennium 2002-2003 included 12 television monitors from the Scottish Court valued at $7,000, which have supplemented those currently in use by the Tribunal to broadcast Tribunal activities.

Projected expenditures by object of expenditure

(Thousands of United States dollars)

	2002-2003 estimates (1)	*Revised 2002-2003 estimates (2)*	*Increase (decrease) (4)*
Posts	1 166.5	1 521.2	354.7
Other staff costs	3 361.3	9 969.9	6 608.6
Consultants and experts	17.2	42.2	25.0
Travel	260.9	483.3	222.4
Contractual services	314.1	155.1	(159.0)
General operating expenses	47.9	39.0	(8.9)
Supplies and materials	344.7	275.0	(69.7)
Furniture and equipment	180.0	69.4	(110.6)
Total	**5 692.6**	**12 555.1**	**6 862.5**

4. The increase is due to the receipt of voluntary contributions for additional extrabudgetary activities undertaken by the Tribunal in the biennium 2002-2003, which were not foreseen at the time of preparation of the 2002-2003 estimates, such as the Macedonia Investigations project. The variance is also due to a higher than expected response in the same biennium to the Tribunal's appeal for voluntary contributions for the Rules of the Road project and the Outreach Programme.

5. The voluntary contributions have been utilized in support of extrabudgetary activities which include, inter alia, Rules of the Road, library, Kosovo operations, prosecution support, Macedonia Investigations and administrative backstopping.